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Scope of Study: This is a study of illegitimacy primarily in the Negro population of Tulsa, Oklahoma, for the period, 1940 through 1950. The study uses the trend in illegitimate births in the white population of the same city as a control factor. The study employs age of parents, race, education, residence, marital status, and occupations of both parents of illegitimate children as independent factors in illegitimacy. Other closely related variables which are likely contributors to illegitimacy are housing conditions and socio-economic status of parents. The data for the study are derived from (1) published census reports, (2) official reports of schools, welfare agencies, and courts, and (3) a direct survey of 142 "family" groups having illegitimate children. These data are analyzed by simple description and historical techniques. The study tests the hypothesis that the observed rise in illegitimacy since 1940, as evidenced by growing numbers of paternity cases in courts, as well as in numbers recorded by other public agencies, is symptomatic of an intensification of scrutiny upon the problem.

Findings and Conclusions: The study seems to justify the following conclusions: (1) The data do not fully prove or disprove the hypothesis, although there has been an increasingly rigid scrutiny of the illegitimacy problem. (2) Social welfare agency reports indicate an increased activity on their part to focus light on illegitimacy in order that appropriate action may be taken. (3) Evidently, a mere biological increase in recorded illegitimacy overestimates the total increase. Births have been reported with greater completeness in later than in earlier years of the past two decades. Hence, the increase has been both biological and legal. (4) Traditionally weak amorphous family life coupled with economic instability and insecurity, segregation, unwholesome housing, and social isolation provide a more fertile medium for the occurrence of illegitimacy in the Negro than in the white population.

ADVISER'S APPROVAL

O. J. Murrell

CERTAIN ASPECTS OF ILLEGALITY  
IN TULSA, OKLAHOMA

CERTAIN ASPECTS OF ILLEGITIMACY  
IN TULSA, OKLAHOMA

By

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CERTAIN ASPECTS OF ILLEGITIMACY IN TULSA, OKLAHOMA

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MASTER OF SCIENCE

1951

THESIS AND ABSTRACT APPROVED:

  
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## PREFACE

The writer wishes to express his sincere and grateful appreciation for the invaluable assistance received in the preparation of this thesis. He is deeply indebted to Christine Carrie, Librarian of the Greenwood Branch Library, Tulsa, Oklahoma; and to Jessie Wiedmon; and the North Tulsa Oklahoma Employment Branch. The writer is also deeply indebted to his dear wife for her splendid cooperation and compassionate understanding. He is particularly indebted to Dr. Otis Durant Duncan for his valuable suggestions, generous help, and constant guidance; and to Dr. Joseph Sloan Vandiver for his advice and helpful criticism.

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## CHAPTER I. INTRODUCTION

One general view of illegitimacy is that of a short but full description of a pathological state in any society. Since 1930, or thereabouts, there has been a growing public consciousness of illegitimacy, and since about 1935 natality has been under a scrutiny of increasing severity.

NATURE AND SETTING OF THE PROBLEM - Because an annual survey of illegitimate child court cases has shown an "alarming increase" there is an apparent need for intensive study of the phenomenon of illegitimacy and for civic, church, and education leaders to formulate plans to meet the problems associated with it. The report of paternity cases filed in Tulsa County during 1950 showed 83 cases involving illegitimate children compared with 16 in 1941. All but 10 of the cases brought into this court during 1950 were charged against Negroes.

The problem of this study is to find out if the increase in court cases involving illegitimate parenthood is due to a more vigilant attempt during recent years to enforce law and order, to closer surveillance of child dependency, or to an actual increase in illegitimate birth itself.

Casual observation suggests that court orders are nondeterrent. More probably, public opinion conditioned through educational processes to build a resistance and to attach a stigma to, and a responsibility for, illegitimacy, especially in the Negro population, is the answer. Also, there seems to be ground for believing that scrutiny of increasing strictness in Public Assistance Programs, Aid to Dependent Children, Public Employment (Military Civil Service, Relief Employment, Defense Employment), School enrollment, Reporting of Vital Statistics, and an increasing use of doctors in hospitals in childbirth, particularly in the Negro community, have tended to



expose and bring to light many illegitimate births previously unreported.

The statistics presented in this study are subjected to a number of important limitations. The most serious is probably that of mistatements on the birth record concerning the legitimacy of the birth. Unfortunately, even the general magnitude of the problem cannot be estimated with any degree of assurance at this time. There is also no direct knowledge as to whether unwed mothers misreporting legitimacy status differ from others in reporting accuracy. It seems likely, though, that the decision to conceal the illegitimacy of a birth is conditioned by attitudes in the mother's social group towards her and toward children born out of wedlock.

GENERAL DESCRIPTION OF THE AREA SURVEYED - Negroes in Tulsa are confined almost wholly to the northeast section of the city in what is often described locally as the "most segregated" community in America. The section which Negroes occupy constitutes an area of approximately 1.5 by 6.5 miles. Detroit Street is the most distinct line of separation between the Negro and the white residential areas. The principal Negro district is bounded on the north by Zion Street, on the south by Archer Street, on the east by North St. Louis, and on the west by Detroit Street. All types of houses and conditions are found in the areas of Negro residence.

Some of these areas contain houses of amusements, shacks, and houses made of discarded box cars almost adjacent to some homes owned by business and professional Negroes which are easily valued at \$10,000 to \$15,000.

The blight conditions in this very densely populated area appeared shortly after the disastrous race riot of 1921, when 50 per cent of the homes, churches, and business establishments of the Negroes were burned. When tranquility finally prevailed, most of the Negroes had no resources

and little credit. Those made homeless by the riot erected makeshift shacks, many of which still stand. Also there has been a persistent lack of systematic planning on the part of the city in respect to rehabilitation and continued improvement of housing in the Negro residential area.

Practically all of the Greenwood area, where more than 50 per cent of the local Negro population lives, is designated as an industrial district. Thus, there are neither restrictions on the location of business nor codes on the construction of residences. The Tulsa zoning ordinance, adopted in 1923, has not been changed since that time. In the Greenwood area there are factories, a large steel foundry, a brick yard and numerous small industrial concerns. The Midland Valley Railroad lines run through the heart of the Negro community. The Sand Springs Freight line crosses Greenwood, the main business street, down the middle of which the tracks run for about a block. Such conditions are fruitful sources of disturbance, as well as menaces to life and health of the residents of the neighborhood.

In some parts of the Greenwood section white families occupy small areas which jog into and out of so-called Negro districts. These white districts, on the whole, are but the improved streets in the area.

Tulsa has more Negro hotels to the square block than any other American city. In one block there are six hotels in addition to several multiple dwellings. Because of the acute housing needs several of the hotels accommodate families. Many of the rooming houses in the Greenwood-Archer district are breeding places for vice and crime. In such conditions a large number of Negro children must live. In practically every section of the city occupied by Negroes, miserably poor housing is widespread. The ordinary conveniences considered as necessities by the average white citizen are lacking. Whether

or not slums and illegitimacy are causally related, they are often coexistent.

PURPOSE - This study proposes to make a sociological analysis of illegitimacy primarily in the Negro population of Tulsa, its incidence, and the social conditions under which it occurs as far as adequate reliable data are available, and, if possible, to identify definitely the sociological concomitants of illegitimacy. The study should yield some practical help in conditioning public opinion through educational processes in building up a resistance toward and attaching a stigma to illegitimacy in the Negro population. It is believed that such knowledge may be useful in promoting an ambition for a more stable family life among Negroes and that it may be conducive to a decline of crime and delinquency in general. The aim is to find out what facts or situations are associated with illegitimacy. This should provide a basis for implementing attitudes and opinions in respect to ultimate courses of action.

SCOPE - This is a study of illegitimacy primarily in the Negro population of Tulsa, Oklahoma, for the period, 1940 through 1950. The available data indicate an upward trend in numbers of illegitimate children in proportion to total births in this population group. However, a similar trend prevails in Oklahoma as a whole and in the nation at large. The study will use the trend in illegitimate births in the white population of the same city as a control factor. The study employs as such independent factors as age of parents, race, education, residence, marital status, and occupations of both parents of illegitimate children in the interpretation of illegitimacy. Other factors believed to bear a close, and possibly a contributive, relation to illegitimacy are housing conditions and socioeconomic status of parents.

HYPOTHESIS - A prevalent belief is that illegitimacy in the Negro population of Tulsa is wholly a by-product of sex expression. A significant part of the consciousness of illegitimacy is due to legal pressure culminating in an increased number of cases "being forced into court," and to an increase in amounts of state aid for dependent children. Nominally, at least, it seems that illegitimacy has increased as a result of desertion and fathers' failing to obey the court orders that they support their children and the extraordinary conditions that existed throughout the city during the war period rather than to a numerical increase in illegitimacy. In other words, it seems that a part of the increase in illegitimacy may have been nominal, growing out of closer court scrutiny and a growing necessity for identification in order to qualify for public aid rather than solely to an increase in births outside marriage.

This study proposes to test the hypothesis that the apparent increase in the numbers of births recognized as "illegitimate" in the Negro population of Tulsa can be explained in terms of more rigid court scrutiny, more complete records of employment histories of parents, and of an expansion in state program for aid to dependent children during recent years. This is to say that while actual numbers and rates of illegitimate births may have increased since 1940, the phenomenon of illegitimacy has been the object of a refocusing of public consciousness of its existence through the instrumentality of such practices as (1) employment registration, (2) revision of the children's code resulting in closer court supervision of families, (3) enforced birth registration, (4) compulsory attendance at school, and (5) scrutiny of applications of mothers for aid to dependent children.

To rephrase the hypothesis, the study proposes to verify the proposition that the observed trend of illegitimacy in the Negro Population of

Tulsa, Oklahoma, can be explained in terms of an aroused public consciousness stimulated by a growth in numbers and a widening of the scope of activity of public institutions designed for child protection, in which socio-economic status is regarded as a contributing factor.

SOURCES OF DATA - The primary data presented in this study were obtained from birth certificates and an annual survey of illegitimate children court cases during 1950 (County Judge Walter Mark's Court). The Vital Statistics-Special Reports, Selected Studies, Volume 33, Number 5, February 15, 1950. The Department of Public Welfare in Oklahoma, Statistics, December, 1950. The report of the State Welfare Department which handles aid for dependent children funds of Tulsa County cases (1950). The North Tulsa Employment Center and personal interviews and observations of persons of Social and Educational Institutions of North Tulsa. Supplementary data used in interpreting this material were obtained from observations made by the social workers, the published census data, material published by the American Sociological Review and the Oklahoma Summary of Vital Statistics.

METHODOLOGY OF STUDY - For certain years in the period, 1940 to 1950, the numbers of illegitimate births are not available, which necessitates the use of estimates. These estimates are derived by applying the average ratios of illegitimate to total births in both the white and the Negro population as they are found for the years for which actual figures are given. This method is believed to be sufficiently accurate to show a general trend, although it may be subject to small errors in individual items. The trend is, however, the characteristic considered important to the study. This is carried through for white and Negro mothers separately and for each year, 1940 to 1950. Totals of illegitimate births are then



obtained by cumulating the derived figures for the city by race. A similar method is used in obtaining the age distribution of unwed mothers for the entire city.

The number of bastardy charges in the Tulsa County Court that occurred in Tulsa between the years, 1940 to 1950, was derived by first compiling and analyzing bastardy cases for each year. This material was organized by analyzing the number of bastardy charges filed by race and compared with the number of mothers by race involving ADC cases. The numbers of bastardy charges were then standardized by applying the ratio of illegitimate births per 1,000 to the number of bastardy charges.

Personal interviews were held with fifty persons including public officials, representatives of social civic, educational, labor and religious groups. Fifty expectant mothers were observed and interviewed as to medical attention received, child care instruction given, and marital status of the expectant mothers, during the regular clinic conducted by the Variety Health Center.

A survey was made of 412 households of unwed mothers and parents of unwed mothers. Questions were asked and information given as to the average number of rooms per household, and per person according to tenure and occupational status.

Church, civic and educational leaders of the Negro and white communities met three times during this study in the Tulsa County Courtroom of Judge Walter Marks. In addition to special counsel, the group pointed out areas where additional study was needed.

## CHAPTER II. REVIEW OF SELECTED LITERATURE

Illegitimacy has long been regarded as one of the major social problems of the Negro in America.<sup>1</sup> Slightly over two decades ago it was estimated that one-fourth of the Negro births in the United States were illegitimate.<sup>2</sup> This estimate was based upon the statistics for the District of Columbia and fragmentary observations from other sections of the country. However, Oklahoma was not included in the reporting area until 1938.<sup>3</sup>

In 1938 Samuel Jackson Holmes of the University of California announced his analysis of the census bureau's latest annual survey of U.S. bastardy. In that year out of every 1,000 childbirths, 39 babies were born out of wedlock. Some 35,000 of them were white (20.4 per 1,000 births), and 43,000 were Negroes (151.5 per 1,000 births).<sup>4</sup>

Since these estimates were made a number of studies in cities and the reports of the federal government for the registration area, including Oklahoma, have contributed additional figures on Negro and white illegitimacy.<sup>5</sup>

While these studies and more, especially the government reports, have extended our knowledge of this form of family disorganization among Negro and White, a vast amount of statistical information has remained unpublished

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1 Franklin Frazier, "An Analysis of Statistics on Negro Illegitimacy in the United States," Social Forces, Vol. II, 1952, p. 249.

2 W. E. B. DuBois, The Negro American Family, (Atlanta, 1908.) p. 152.

3 Oklahoma Vital Statistics, Special Report, 1950, p. 6.

4 S. J. Holmes, "Holmes on Bastardy," Time, Vol. 31, 1938, p. 36.

5 E. Franklin Frazier, The Negro Family in Chicago, (Chicago, 1932.) pp. 63-66; 179-80.

in the records of the Departments of Health and Vital Statistics in our states and cities. Therefore, it has seemed to the writer that to bring together and analyze this inaccessible information in conjunction with the government reports would help, at least, to give a more definite measure of illegitimacy in the city of Tulsa, especially in the Negro group.

PROBLEM OF MISSTATEMENTS: Probably, the most serious difficulty faced in all the literature on illegitimacy arises through misstatements on birth records concerning the legitimacy of the births. The general magnitude of this problem cannot be estimated with any degree of confidence at this time. Moreover, there is no direct knowledge as to whether misrepresentations of legitimacy status differ constantly or at all from one locality or from one population group to another. It seems likely, though, that decisions to conceal illegitimacy are conditioned by attitudes in the mothers' social groups towards themselves and towards children born out of wedlock. However, the literature on this point is somewhat inconclusive. Also, the ability (economic or otherwise) to leave a community before the birth of the child is an important consideration. These factors are generally believed to operate in the direction of a proportionately greater understatement of illegitimacy in the white race than in the Negro race, and in the older as compared with the younger groups of women. In connection with birth order statistics for unwed mothers, a possibility that some of the women may not report previous births has been noted.

Another frequent source of error is the failure to register births at all.<sup>6</sup> In this respect, Smith has shown that Oklahomans are more lax about

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<sup>6</sup> Before the Kerans Report, June, 1945, adequate Vital Statistics records were not available for Negroes of the city of Tulsa, Oklahoma.



birth reporting than residents of any other state except possibly Texas and South Dakota, at least historically.<sup>7</sup> It may well be that, as a general rule, underregistration is appreciably greater for illegitimate than for legitimate children. Some of the characteristics of the unregistered illegitimate births, though, are probably very similar to those determined from the 1940 birth registration test for the unregistered throughout the United States, as a whole.<sup>8</sup> This test showed that birth registration was less complete for births of Negro than of white children, and for nonhospital than for hospital births. The 1940 test showed, in addition, that births were registered with less care in rural than in urban areas, and that in southern states birth registrations were less complete than most other states.

The above limitations may also have applications to the percentage of increase in illegitimacy found in the present study. However, no known study reveals an objective method for testing changes that might have taken place from 1940 through 1950 in attitudes toward reporting illegitimate births as such on the birth record. But, in view of the magnitude of the general increase in reported illegitimacy throughout Tulsa, it appears unlikely that attitudinal factors on reporting illegitimacy could alone account for the rise.

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7 T. Lynn Smith, "Rural-Urban Differences in the Completeness of Birth Registration," Social Forces, Vol. 14, No. 3, 1936, pp. 368-372.

8 National Office of Vital Statistics, "Completeness of Registration of Births Occurring in Institutions and Births Not Occurring in Institutions: United States, December 1, 1939 to March 31, 1940," Vital Statistics-Special Report, Vol. 23, No. 8, 1946.

Parenthetically, it may be said that as far as registration completeness pertains to bastardy charges in the Tulsa County Court, it seems reasonable to assume that as a major part of the community increased pressure toward a general improvement in birth registration, a higher proportion of the illegitimate births, as well as an increase in bastardy charges, would be registered in 1950 than in 1940. However, not all of the bastardy charges followed actually illegitimate births. This is not inconsistent with current factual information, fragmentary as it may be, on this point.

The difference in function between illegitimacy rates and ratios is also discussed in the above-mentioned test study.<sup>9</sup> Use of the ratio to describe changes that have taken place in illegitimate birth problems from 1940 to 1950 indicates a considerable amount of distortion and misinterpretation. This is also apparent in the comparison of rate and ratios for Tulsa.

Thus, while current vital statistics show a marked increase in illegitimacy rates during the war and post-war years, the ratio (if used for this purpose) would suggest no appreciable change. As a matter of fact, the ratio for some of the war years were even below the pre-war period. The reason for this is that the total number of births (legitimate and illegitimate combined) increased more rapidly from 1940 to 1945 and 1945 to 1950 than did the relative number of illegitimate births. The significance of the increase in illegitimate births during the years when the proportion of unmarried women also decreased would be lost unless rates were used to interpret these changes.

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<sup>9</sup> See fn. 3.

However, all previous studies agree in principle that the most elaborate use of statistics cannot compensate for inadequacies of data, including all possible affecting factors.

THE APPROACH TO THE STUDY OF ILLEGITIMACY: In the analysis of statistical material, use is made of the two approaches to the study of illegitimacy, the social welfare approach and the sociological. Davis explains that the latter tries to understand the institutional norms which define certain births as illegitimate and to explain, in terms of functional and structural connections of these norms with the rest of society, why illegitimacy occurs in spite of the norms, and why the illegitimate child and its parents have an inferior social status.<sup>10</sup> This type of analysis reveals some basic defeats in existing proposals for the elimination or diminution of illegitimacy, and indicates that the simple measures that would be necessary for its abolition will never be taken as long as the reproductive institutions of society are familiar in character.

The current literature on illegitimacy is mainly a problem literature. It is true that it relies upon statistical findings and seeks objectively to discover causes, but since the principal aim of the casual investigation is simply to find more intelligent ways of handling, or remedies for, the "problem" (thus taking for granted the values which define it as a problem), the usual analysis of causes seems theoretically unsound.

Willystine Goodsell declares that "with almost complete unanimity

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10 Kingsley Davis, Illegitimacy and the Social Structure, p. 215.

social investigators agree upon a variety of causes, both personal and social, for the prevalence of illegitimacy." She then cites the lists of alleged causes given by Mangold, Kammerer, and Lundberg.<sup>11</sup> These include such factors as "ignorance and low ideals," "demoralizing education," "defective home life," "vicious neighborhood conditions," "mental abnormality," etc.

There is a second approach represented by the works of Brinton, Malinowski, Robbins, and Deak.<sup>12</sup> Its central thesis is epigrammatically stated in Brinton's words: "Bastardy and marriage in this world are quite supplementary. You cannot have one without the other."<sup>13</sup> In other words, one may indeed separate the two institutions and eliminate one of them, either by having marriage so perfect, in various senses, that no one will ever commit fornication or adultery, or by having fornication so perfect that no one will ever commit marriage. But these are definitely other worlds.

FORMS OF ILLEGITIMACY IN TULSA: The views expressed by the writers previously cited are only some of the reasonable ones that might be held. However, it is reasonably assumed and ascertained that hostility in mass attitudes toward illegitimacy is not accidental, but a part of a functioning psychosocial and socioeconomic structure. It has also a number of legal, political, and moral implications, if judged by operational criteria.

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<sup>11</sup> Willystine Goodsell, Problems of the Family (rev. ed.; New York, 1936), p. 365.

<sup>12</sup> Crane Briton, French Revolutionary Legislation on Illegitimacy 1789 - 1804 (Cambridge, Mass. 1936); Bronislaw Malinowski, "Parenthood," The New Generation, New York 1930; F. Deak, "The Familial Property Rights of Illegitimate Children," Columbia Law Review, XXX (March 1930), 308-329.

<sup>13</sup> Briton, op. cit., p. 83.

Illegitimacy obviously violates the central principle of family structure. What Malinowski calls the "principle of legitimacy," or "the universal social rule," is that,

"No child should be brought into the world without a man - and one man at that - assuming the role of sociological father, that is, guardian and protector, the male link between the child and the rest of the community."<sup>14</sup>

Without such a general rule, the breakdown of the family would be self-evident; there would be no family. The family basis of human generation is about as widespread as mankind. Malinowski's Principle is as universal and fundamental as the familial institution, or as humanity. But in order to understand illegitimacy in a given population, such as the Negro population of Tulsa, one must analyze specifically its effects upon the institutional machinery, specifically the family pattern characteristic of that population.

As Davis suggests, there are three, and possibly more, major "norms" which are violated by illegitimate birth. The norms, which serve as a basis for the classification of the forms of illegitimacy, are as follows:

(1) The rule of post-marital procreation, (2) the requirement of nonadulterous procreation, (3) the law of non-incestuous procreation, (4) the rule of caste endogamy, and (5) the principle of non-reproduction in celibate groups.<sup>15</sup> One may, therefore, restate the general principle of legitimacy in this way: No child shall be born whose parents, by procreating him, will be violating one or more of these five norms of family

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<sup>14</sup> B. Malinowski, "Parenthood - The Basis of Social Structure," in V. F. Calverton and S. D. Schmalhausen (editors), The New Generation (New York, 1930), p. 137.

<sup>15</sup> Kingsley Davis, Illegitimacy and the Social Structure, p. 215.

structure. In this study every birth regarded as illegitimate occurred in violation of one or more of these five norms.

The five types of illegitimacy (expressed as norms) so far mentioned, while they fail to exhaust all possible forms, represent more varieties than may be found in any single society. The only forms of illegitimacy which, with few reservations for Tulsa, can be called universal are the first (simple illegitimacy), the second (one-sided adultery, mother unmarried), and the fifth, (incestuous forms). To this extent, the principles set forth by Malinowski and by Davis have direct pertinence to the Tulsa study.

Finally, the literature on illegitimacy, while inadequate for some purposes, supplies a conceptual framework for a local study of this type. Each type, and hence illegitimacy in general throughout the Tulsa social system, seems susceptible to both a structural and a functional interpretation. Should there be certain constellations of reproductive and related institutions in Tulsa, legal and moral attitudes toward violations of them would be inevitable. The almost universal occurrence of certain institutions, such as the immediate family, accounts for the equally universal appearance of certain forms of illegitimacy-simple, incestuous, and adulterous. To understand the nature of illegitimacy in Tulsa, one must, therefore, understand the institutional norms which illegitimacy situations violate.

The family groups perform the functions of reproduction and child-rearing (in some sections of the city). The norm of post-marital procreation is simply the central requirement of the family institution. The norm of non-adulterous procreation has the additional function of protecting an already established family group. Finally, the principle of non-reproduction in celibate groups enables the communities of Tulsa to

utilize the services of certain individuals without competition from the inclusive loyalty of the private family. Since all these norms are functionally significant in Tulsa, public condemnation of their violation (the public disapproval of illegitimacy) constitutes an integral and necessary part of the social system there.

### CHAPTER III. ILLEGITIMACY IN THE TOTAL POPULATION

It has been observed that in Tulsa, as in any other city, there are some who refuse to abide by the sex standards which society seeks to maintain. They might be divided roughly into two groups: Those who more or less habitually show contempt for all sex rules not of their own making, and those who only occasionally disregard the accepted pattern. There is, of course, no hard line of demarcation between these groups, for they range from the most debauched rake at one extreme, to the most respectable person, who indulges in a single indiscretion, at the other extreme. Likewise, the results - both personal and social - may range all the way from the most devastating to the mildest temporary effect. Yet, in the long run, a considerable proportion of these persons, all along the line from one extreme to the other, contribute to social problems that are as old as the city. Whether it be the prostitute spreading venereal disease in ever widening circles or the girl of good character who because of one error dies under the hand of a bungling abortionist, each contributes her full share to the continuance of these problems. Illegitimacy!

This is wholly a by-product of irregular sex expression and constitutes a problem from at least three angles: The welfare of the child, of the mother, and of society. The father is usually a "silent partner" in the affair, and as such he commonly avoids the spotlight. In Tulsa, a male dominated city, such a division of consequences has not been difficult to maintain; the mother and child have shared the mental and sometimes physical suffering involved, and society has paid the bills. Actually, society's share of the burden is far more than financial, but the less obvious factors were not realized until modern medicine, mental



hygiene, and scientific social work uncovered the far reaching effects of illegitimacy.

In Tulsa, from the standpoint of society's interests, illegitimacy presents a real dilemma. However, it is impossible to draw any positive conclusions from available statistics concerning either the volume or the trend of illegitimacy among its population. As a matter of fact, general improvements in court scrutiny, records of employment histories of parents, expansion in state programs for aid to dependent children, and public opinion through the city has tended to expose and bring to light illegitimacy, perhaps to a greater extent than vital statistics. However, the illegitimate birth rates vary widely in degree in the separate communities in the Tulsa population.<sup>1</sup> A considerable part of the variation may be accounted for in terms of difference in social customs. But illegitimacy is a legal concept and the laws defining it are far from uniform.<sup>2</sup> Moreover, the birth statistics of the different communities are of unequal reliability. As a result of these differences, the data cannot be taken as anything more than approximate indications of prevailing situations in Tulsa communities.

While the information on the birth record is subjected to the limitations described in Chapter I of this study, it provides a partial basis for answering such questions as:

1. Has there been an increase in the number and rate of reported illegitimate births?
2. How old are the mothers bearing children out of wedlock?

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1 The illegitimate birth rate is the number of illegitimate births per 1,000 total births.

2 Sam Shapiro, Illegitimate Birth Statistics: United States, 1938-47.

At least, it is the only source from which answers to such questions can be derived.

According to available data, illegitimacy in Tulsa, whether measured by the number of bastardy charges filed in the Tulsa County Courts or by the reported illegitimate birthrate or by the number of illegitimate births per 1,000 female population age 10 to 54, showed a decided increase from 1940 to 1950 among both Negro and white women. However, as indicated by Table I and Figure 1, the year-to-year changes were quite erratic for the two race groups.

TABLE I. Illegitimacy in Tulsa  
Negro and White Populations by Census Years

Census Year	Births		Percent Illegitimate		Ratio of Negro to White Illegitimacy
	Negro	White	Negro	White	
1950	462	3,810	48.9	2.8	17.5
1947	496	3,828	60.8	3.7	16.4
1945	420	3,425	40.1	3.5	11.5
1940	349	3,572	48.1	3.6	13.4

Source: This table was constructed from the U. S. Department of Commerce, Bureau of the Census. Oklahoma Summary of Vital Statistics 1950. Special Report, Vol. 33, No. 5, p. 12.

These data show that at all times within the study period Negro women have several times as many illegitimate births as do white women in proportion to both total births and total population of each race. The figures do not establish any definite trends or suggest anything beyond a rather great racial disparity in illegitimacy which, using whites as the control factor, indicates that Negroes have a long way to travel before reaching a minimum of illegitimate births.

However, the number of bastardy charges filed by Negro women in the Tulsa County Court from 1947 through 1950 increased in greater proportion than the number of their illegitimate births. (See Table II.) These data indicate that probably either legal processes, public opinion, or welfare programs are increasingly bringing illegitimacy to light. But the data are too scattering to be highly significant. From comparisons between

TABLE II. Annual Number of Bastardy Charges  
Filed in Tulsa 1940 to 1950 Inclusive

Year	Total	Number		Percent	
		White	Negro	White	Negro
1950	83	10	73	12.1	87.9
1949	66	21	45	31.8	68.9
1948	40	15	25	37.5	62.5
1947	13	4	9	20.7	69.3
1946	19	12	7	63.2	36.8
1945	10	6	4	60.0	40.0
1944	14	11	3	79.6	21.4
1943	5	5	0	100.0	0
1942	26	24	2	92.7	7.3
1941	16	10	6	62.5	37.5
1940	6	4	2	66.7	33.3

Source: Annual Report - Judge Marks County Court, 1951.

Tables I and II, it can be ascertained that in 1950 about two per cent of the illegitimate births to both white and Negro women were followed by bastardy charges. In 1940 a similar condition prevailed for whites while only a negligible fraction of one per cent of the illegitimate births to Negro women brought such charges.

While the trend in the number of illegitimate births is of considerable value for many purposes, a better measure of change in the illegitimate births problem is obtained through rates based on unmarried women in

the population, age 15-44 years.<sup>3</sup> These rates take into consideration the high marriage rates during most of the war and post-war years, which resulted in decreases in the total unmarried population. Thus, while the proportion of unmarried women of child-bearing age in the total population was decreasing, the number of illegitimate births was increasing both relatively and absolutely. This makes more striking the rise in illegitimacy over the ten-year period when change is considered in terms of rates rather

TABLE III. Illegitimacy Rates of Unmarried Women of Tulsa, Oklahoma 1940-1947 (Exclusive of Stillbirths. Rate per 1,000 Unmarried Women in Each Specified Age Group.)

Illegitimate Births per 1,000 Unmarried Women Aged						
Year	10-14	15-19	20-24	25-29	30-34	34-39
1947	0.6	11.1	18.7	15.6	9.0	1.7
1946	.4	10.1	17.8	13.8	7.6	1.4
1945	.5	9.9	15.5	10.9	6.8	1.2
1944	.4	8.9	12.9	9.5	6.3	1.3
1943	.4	8.4	11.2	8.5	6.1	1.2
1942	.4	8.1	10.7	8.1	5.8	1.1
1941	.4	8.0	10.3	7.5	5.6	1.3
1940	.4	7.5	9.5	7.2	5.1	1.1

Source: Tulsa County Health Department, Annual Report: Population as of July 1, for each year, based upon information from the illegitimate birth statistics: United States, 1938-1947. p. 20.

than in absolute numbers. In 1940 the estimated illegitimacy rate was 7.0 per 1,000 unmarried Tulsa women 15-44 years of age, but by 1946 the rate (12.1) was 72.9 per cent higher.<sup>4</sup>

<sup>3</sup> It is believed that only a relatively small number of births recorded as illegitimate occur to married women. These are cases in which it is known that the father of the child is not the husband of the mother.

<sup>4</sup> Vital Statistics - Special Reports, p. 74.

Virtually the entire increase in the illegitimacy rate occurred after 1943, with the greatest rise taking place at the end of the war and in the post-war years.

AGE OF MOTHERS OF ILLEGITIMATE CHILDREN: An important feature of the wartime and postwar rise in illegitimate births in Tulsa is that it was rather general among women in all age groups (Table III). The increase was more than twice as great, both numerically and proportionately, for

TABLE IV. Proportions of Girls Leaving Tulsa Public Schools for Illegitimate Births and Other Causes, 1944-45.

Age Group Causes of Leaving School	Leaving School			
	White Girls		Negro Girls	
	Nbr.	Percent	Nbr.	Percent
TOTAL	90	100.0	100	100.0
Illegitimacy	4	.9	25	25.0
15 yrs. or below	0	-	0	-
16-17 yrs.	1	.2	23	23.0
18-19 yrs.	3	.7	2	2.0
Other causes	86	99.1	75	75.0

Source: Adapted from Tulsa Public Schools, Annual Report, 1944-45, pp. 10-12.

women 20 years of age and over as for younger women. Nevertheless, a substantial proportion (42 per cent) of the illegitimate births in 1946 were to "teen-age" women.<sup>5</sup> A third of such births occurred to women 20-24 years of age, and much smaller proportions to each succeeding 5-year age group.

A little further inquiry into the illegitimacy problem at this point

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<sup>5</sup> Vital Statistics - op. cit., p. 74.

leads to the public schools, it having been reported that illegitimate motherhood on the part of teen-age school girls is rather frequent.

Table IV shows a breakdown of girls dropping out of Tulsa schools prematurely during 1944-45. Illegitimacy is singled out as a cause for leaving school. Only .9 percent of the teen-aged white girls who dropped out of school did so because of illegitimate pregnancy. For Negro girls of similar ages, 25 percent of those leaving school left for that reason. Apparently, the matter of illegitimate births by teen-age school girls has been exaggerated somewhat, at least numerically.

Unmarried white women bearing illegitimate children have been consistently a little older on the average than the Negro. In 1946, for example, approximately 37 per cent of the white women who had children out of wedlock were under 20 years of age as compared with 47 per cent for the Negro group.<sup>6</sup>

The illegitimate birth-rate for white women age 25-29 was appreciably greater than the rate for the 15-19 year olds during World War II and the post-war period.<sup>7</sup> This increase was found among all age groups of women in the age span 15-44 years, in both the white and Negro groups.

BIRTH ORDER OF ILLEGITIMATE CHILDREN: In 1948, about 61 percent of all illegitimate births to Tulsa women were first births (Table V), but the proportion of illegitimate first births to white women was 41.8 percent higher than for Negro women. For second births, 51.1 percent more Negro than white women had illegitimate children. For all succeeding births,

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<sup>6</sup> This information is available for 1946 only. Okla. Vital Stat. 1946.

<sup>7</sup> Sam Shapiro, Illegitimate Birth Statistics, Vital Statistics, Oklahoma City, Oklahoma, p. 75.

third through eighth, the proportions of illegitimate births to Negro women were uniformly double those to white women, or even higher. The proportions of illegitimate births declines regularly as birth order rises, but less rapidly for Negro than for white women.

For white women in Tulsa 74 percent of the illegitimate births in 1946 were first children in contrast with 52 percent of those to Negro women.<sup>8</sup> Much smaller proportions of the births to married women of both

TABLE V. Percentage Distribution  
of Legitimate and Illegitimate Live Births  
in Each Race Group, by Birth Order: City of Tulsa, 1948.  
(Birth Order Refers to Number of Children Born Alive to Mother.)

Birth Order	Percent of Children Born			
	White		Negro	
	Illegi- timate	Legi- timate	Illegi- timate	Legi- timate
1st	73.6	42.1	51.9	26.7
2nd	14.3	27.2	21.7	20.6
3rd	5.4	13.8	10.4	14.4
4th	2.8	6.9	5.8	10.3
5th	1.5	3.7	3.5	7.7
6th - 7th	1.4	3.6	3.8	10.1
8th & Over	0.9	2.6	2.9	10.3

Source: This table is based upon information from The Vital Statistics Special Report, Vol. 33, No. 5, Feb., 1950.

racess were first babies. These are comparisons which one might expect, since illegitimacy has increased more rapidly among white than Negro women during the last dozen years or so.

ATTENDANT AT BIRTH: Approximately 3 in 5 of the reported illegi-

<sup>8</sup> Vital Statistics Special Report, Volume 33, Number 5, February 15, 1950.

timate births in 1945 in Tulsa were delivered in hospitals or institutions.<sup>9</sup> A much higher proportion (4 in 5) of the legitimate births occurred in hospitals. When race is taken into consideration, the differences between legitimate and illegitimate births are reduced (Figure 1). Actually, Negro mothers of illegitimate children in Tulsa were just as likely to have their children in hospitals or institutions as mothers of legitimate children (47 percent in both cases.). On the other hand, 87.4 percent of the legitimate as compared to 80.5 percent of the illegitimate births to white mothers occurred in hospitals.

Only 3.9 percent of the unmarried white women called in midwives or other nonmedical attendants to deliver their children. This was a far more common occurrence among unmarried Negro mothers, and over a third of their births were delivered by non-physicians. In both the white and Negro groups, there was a somewhat lesser tendency for nonphysicians to be used by married than by unmarried mothers.

While statistics show that there has been some increase in actual rate and numbers of illegitimate births among both Negro and white women, the phenomenon of illegitimacy is found in the peculiarities of the separate communities of the city.

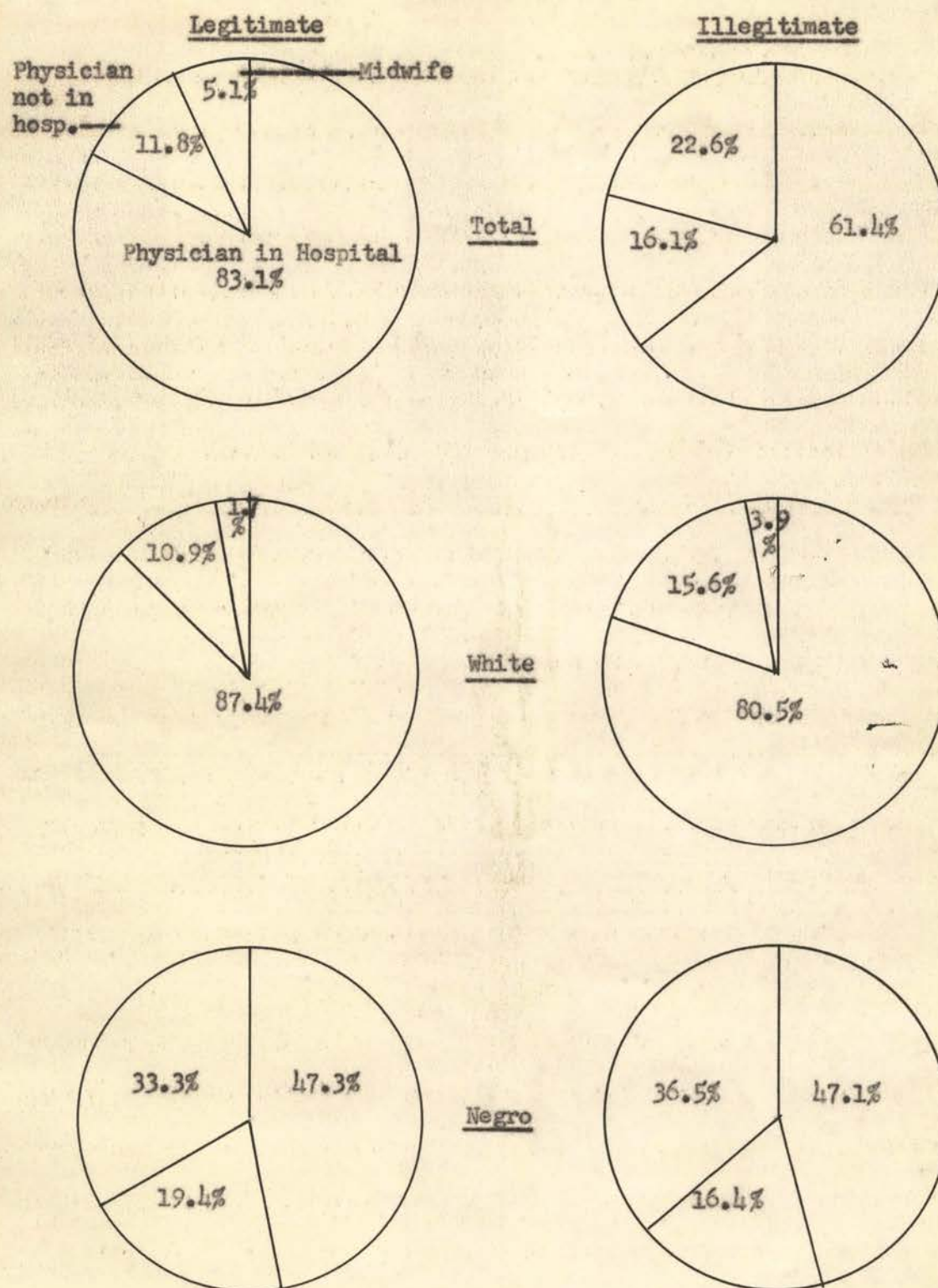
THE TREND IN COURT PATERNITY CASES: A brief review of the history of the juvenile court of Tulsa County reveals that both the city and county courts have authority over the handling of juvenile delinquency cases. The city juvenile court confines its jurisdiction to matters of juvenile delinquency in the city limits only. It has no jurisdiction over dependency

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<sup>9</sup> Shapiro, op. cit., p. 79.



FIGURE I. Birth by Person in Attendance, 1947



and neglect. In cases of child neglect and dependency, the juvenile court consults the Family and Children's Service in selecting foster homes and in providing supervision for children placed in these homes. During the period January 1 to December 31, 1944, the county juvenile court handled 429 dependency and neglect cases of which 41, or 9.6 percent were Negroes, which was roughly portional to population.<sup>10</sup> During the year 1950, the same court handled 83 cases of which 73 were Negroes. This was grossly disproportionate to population, which indicates the extent to which administrative and judicial procedure enters into the nominal size of juvenile problems.

Negroes apparently have received "fair" and "impartial" treatment from the courts. Negro practicing attorneys in Tulsa relate that seldom are differences noted in the conduct of trials. However, the figures, inadequate as they are, suggest that preventive agencies and influences are more effective in the white than in the Negro population.

According to County Judge Walter Marks, an annual survey of illegitimate child court cases showed an "alarming increase." There were 83 paternity cases filed in county court during 1950 involving illegitimate children as compared with 16 in 1941.<sup>11</sup> The survey also showed that in all but 10 of the 1950 cases the principals were Negroes. The court records showed that orders were issued to fathers in the cases to pay a total of \$7,894 for the support of their illegitimate children. At the same time, records show payments for the year amounted to only \$3,506.

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10 Tulsa County Juvenile Court Report, 1944.

11 The Tulsa World, February 6, 1950. See Table II.

Less than half of the fathers have obeyed the court orders. Yet few of the mothers have asked for citations. The survey revealed that in several cases one defendant is charged with being the father of more than one illegitimate child.

Margaret Lamm said, "State aid for dependent children rolls carried 3,196 children from 1,241 Tulsa County families in December, 1950."<sup>12</sup> A total of \$87,108 was paid to Tulsa County children for that month.

The survey shows 45 of the 83 defendants charged with bastardy in 1950 pleaded guilty and were ordered to start monthly child support payments ranging from \$8.00 to \$50.00 a month. The 45 pleading guilty in 1950 were ordered to pay a total of \$1,231 per month. The total amount ordered paid averaged \$27 per month per child. The total amount actually paid averaged \$12 per month per child.

Study of vital statistics for Tulsa discloses that illegitimacy in the Negro population exceeds the ratio of Negroes in the general population. The rate of illegitimacy among Negroes is alarmingly high: (1) A sample study of registered births shows that 25 per cent of all Negro births are in this category. The median age of the unmarried mother is 17 years. (2) In the tenth grade of one Negro high school, five expectant mothers, during a period of seven months, were requested to withdraw from school. The median age of these girls was 15.6 years.<sup>13</sup> However, a careful examination of Table I indicates that for the years 1947-1950 there was a decided numerical decline in illegitimacy. Nevertheless,

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<sup>12</sup> Margaret Lamm, Assistant County Attorney, The Tulsa World, February 6, 1950.

<sup>13</sup> Report of Welfare and Child Care Section of Tulsa Council of Social Agencies.

there was a corresponding increase in the number of illegitimacy cases introduced in the courts of Tulsa, County (See Table II, and Figure 1).

The "alarming increase" in the number of illegitimate child court cases as the survey showed for the year 1950 was 73 cases for Negroes.<sup>14</sup> This recent trend in observed illegitimacy in the Tulsa Negro population can be explained in terms of an aroused public opinion among the middle classes of the Negro population who are making a strong effort to stabilize their families. This appears to be an overt act, as indicated by the increase in the frequency in which paternity cases are referred to the courts. Quite probably, the middle class Negro of Tulsa is succeeding to a relatively greater degree in focusing public opinion upon illegitimacy than the common elements of the white population.<sup>15</sup> However, the Negro population of Tulsa in general manifests the distinguishing characteristics of social disorganization: High illegitimacy rate, and a large proportion of broken families.

From another standpoint, the Negro family has certain characteristics that make it healthy in comparison with the average white families. Proportionally, fewer Negroes are really spinsters or bachelors, even though their family relationships may be less regular; common-law marriage is less criticized; there is little stigma attached to the illegitimate child; there are fewer "forced" marriages; Negro women are independent and do not as often fall prey to the mental conflict over their role in life as do white women.<sup>16</sup>

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<sup>14</sup> The Tulsa World, February 6, 1950. This represents an increase of 97.2 percent since 1940.

<sup>15</sup> Report of Welfare and Child Care Section of Tulsa Council of Social Agencies, 1948.

<sup>16</sup> U.S. Treas. Dept., Pub. Health Svc., Pub. Health Bull. 174, June, 1927.

Also, something that needs to be understood is that there is not much promiscuity, even among lower-class Negroes. According to the various reports of the Interdenominational Ministerial Alliance, it is maintained that, even where there is no formal marriage, there is still a rule that person may cohabit with only one other person at a given time. The Council of Social Agencies pointed out that among middle and upper class Negroes of Tulsa, formal marriage is as much expected and demanded as among comparable groups of whites of the city.<sup>17</sup>

We may conclude that there was a marked increase in illegitimacy during World War II and the post-war period. This increase was found among all age groups of women in the age span 15-44 years, and in both the white and Negro groups. Nationally, the increase has been greater for the older than for the younger women of both races. At least 449 illegitimate births occurred in Tulsa during 1945. These represent an illegitimacy rate of 64.5 per 1,000 unmarried women.

**DESERTION:** Family desertion, and hence illegitimacy, has been one of the inevitable accompaniments of low and insecure economic status in Tulsa.<sup>18</sup> In both communities the ranks of men who have deserted their families have been recruited continually from several sources. Among the foot-loose men who drift throughout the city in search of work and new experiences, there are husbands and fathers who have deserted their wives and children.

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17 A local planning group in which Negroes and whites jointly plan for next steps in problems of social amelioration and adjustment.

18 Family desertion is sometimes bona fide and in many cases mutually desired. This, again, is a legal term subject to a wide range statutory and jurisdictional interpretation.

Although it is difficult to get a measure of the extent to which men desert their wives and families, it appears from available sources of information that desertions are more frequent in Negro families than in the families of other racial groups. Because common-law marriage is an accepted practice and among Negroes, its violation, in fact or in spirit, contributes heavily to an increase in the rate of so-called illegitimate births in the Negro community. For example, 22.4 percent of the women in the total Negro population in 1940 were either legally married, common-law married, or "living irregular" with men. This represented 33.3 percent of all desertion cases or bastardy charges in the Tulsa County Court for the year 1940 (See Table VI).

Since the 3,397 Negro women employed represent 51 percent of the total Negro female population fifteen years of age or over, most of these women assume the role of heads of Negro families.<sup>19</sup>

In regard to marital status of the women heads of Negro families in Tulsa, information from the original census returns gives a more accurate picture than one gets from published data on marital status and illegitimate births of Negro women. The majority of these women - from two-thirds to four-fifths - were classified as widowed (See Table VI). From what is known concerning the marital status of Negro women who describe themselves as widowed, we can only assume, as in the case of the published census figures, that some of these widowed women had either been deserted or were unmarried mothers.<sup>20</sup> But, in addition to the usual categories of widowed and divorced, these women have been classified as to whether they were

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19 J. Harvey Kerns, A Study of the Social and Economic Conditions of the Negro Population of Tulsa, Oklahoma, p. 11.

20 U. S. Census, 1940.

separated from their husbands or were living "irregularly" with men in their households. According to the figures in Table VI, in some cases as many as 20 percent of the women heads of families were separated. In all likelihood, the majority of these women had been deserted by their husbands and had illegitimate children. It is also probable that some of the women who were living irregularly with men, but who reported themselves as married to other men, had been deserted. In fact, it is also

TABLE VI. Distribution of Tulsa White and Negro Female Heads of Families, According to Marital Status

Marital Status of Female Family Heads	Percent of Female Family Heads			
	1950		1940	
	White (137 Cases)	Negro (598 Cases)	White (81 Cases)	Negro (483 Cases)
TOTAL	100.0	100.0	100.0	100.0
Separated	16.8	16.7	12.3	21.7
Widowed	78.8	79.1	81.5	74.3
Divorced	3.7	1.7	1.2	1.9
Irregular*	.7	2.5	5.0	2.1

Source: Data for 1950 were obtained by the author from a survey in 1951 of 598 Negro and 137 white families in Tulsa. The data for 1940 were taken from J. Harvey Kerns, op. cit., p. 14.

\*Terminology used by Tulsa social welfare agencies. It refers to unions of varying duration for which no form of marriage is presupposed.

very likely that some women who called themselves divorced had been deserted. Under these conditions the high rate of statistically illegitimate births are derived in the main in Negro communities. When these various facts are considered, it seems reasonable to conclude that, in as far as these figures are representative of Negro and white families living under similar economic conditions in Tulsa, about a fifth of the families

with women heads represent cases of desertion on the part of men.

The high rate of illegitimate births and disorganization of Negro family life in Tulsa becomes intelligible only when studied in relation to the organization of the community and the social and economic forces which determine its development. Therefore, in the following chapter a study is made of various problems of family life in its social setting and in relation to the organization of the Negro community.



#### CHAPTER IV. ILLEGITIMACY AND THE NEGRO COMMUNITY: AN INTERPRETATION

Negro illegitimacy in Tulsa is more than a continuation of naive peasant folkways in the urban environment. Undoubtedly, much of it issues from social disorganization, and results in personal demoralization. Some of the unmarried mothers are themselves illegitimate.<sup>1</sup> It appears in some cases, at least, that they have simply imitated the loose behavior of their mothers. Nor can one overlook the fact that a few of the older women who have illegitimate offspring are already married.

Occasionally, a girl with some education and a good family background constitutes a case for a social agency. But among Negroes, as among whites of the city, when women and girls who have the advantage of education and economic security and the protection of family become pregnant as a result of extramarital sex relations, they are generally shielded both from the gaze of society and from the scrutiny of social agencies.

However, the bastard, like the prostitute, thief, and beggar, belongs to that motley crowd of disreputable social types which society has generally resented, but has always endured. He is a living symbol of social deviation, an undeniable evidence of contramoral forces; in short, he is a problem as old and unsolved as human existence itself. Yet, he is a victim of circumstances entirely beyond his own control.

Through the history of Tulsa this problem has remained a matter of morals and policy rather than of scientific theory. However, in the Negro population of Tulsa, illegitimacy has not been viewed as an evil occurrence,

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<sup>1</sup> Department of Public Welfare, Oklahoma City, Oklahoma. July 1, 1949 - June 30, 1950.

calling in each case for a distribution of blame, a manifestation of repentance, and an adjustment of rights and duties.<sup>2</sup> Such a lack of moral preoccupation has contributed a great deal to the efficient operation of the institutional system, at least indirectly.

To the mind of the folk Negro of Tulsa, it is sometimes amusing, and frequently tragic, to observe the casual investigator's way of handling and analyzing the causation of illegitimacy in the Negro community. Almost always the casual investigator has gloomily attributed illegitimacy to some inherent moral degeneracy of the Negro. As a means of eliminating or controlling loose sex habits of Negroes, he has suggested sterilization based upon the somewhat amusing assertion that illegitimate motherhood is rather a recommendation in the eyes of a prospective husband.<sup>3</sup> However, a social welfare and a sociological approach will reveal far more complex roots to the problem than mere moral obtuseness.

**SOCIAL WELFARE APPROACH:** In the Negro community of Tulsa, the social worker's point of view toward the phenomenon of illegitimacy is that of a person required to achieve practical immediate goals by dealing with concrete situations.<sup>4</sup> The "cause" of illegitimacy from this standpoint, such as low mentality or poor home conditions, is not so much a cause of the total phenomenon as a partial explanation of why particular women

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2 Interview and discussion with the Interdenominational Ministerial Alliance. Jan., 1950.

3 This observation is based upon discussions and an interpretation of the alarming rate of bastard charges in the Tulsa County Courts by civic and religious leaders of the white and Negro communities, including Dr. Kovacs of Tulsa University. Judge Marks Court Room, Jan. 8, 1951.

4 The report of the Council of Social Workers, Tulsa, Okla., 1945.

become illegitimate mothers.<sup>5</sup> An understanding of the total phenomenon requires delving into the personal motives or premises. There must be also an analysis of the very sentiments and attitudes which define a birth as legitimate or illegitimate - in short, the institutional norms of reproduction.

The interpretation of a phenomenon, such as illegitimacy, in terms of specific factors such as mental abnormality, poor home conditions, or poor employment situations, generally assumes a stable institutional system (and the values that go with it) without which the factors could not operate. Otherwise, deviate behavior of any kind would be impossible. But in the Negro community of Tulsa this system is assumed only unconsciously and, hence, is left unanalyzed. Therefore, the soundness of generalizations based on such an assumption is doubtful. As soon as their application shifts to another section of the city - or even another social class - the conclusions do not follow.

A careful examination of the 1950 report of the Tulsa Social Welfare Worker, page 22, indicates that the caseworker tends to regard as determinants of illegitimacy in the Negro population those situation which, like illegitimacy itself, are considered unfortunate and in need of remedy. Being in the habit of focusing attention on things that require remedial work anyway, it is natural that he should fall into a species of the "like-causes-like fallacy" in this instance, the theory that evil causes evil. It has been observed that in a large number of cases the illegitimate mothers were so situated in their work and daily activities that clandestine sexual advances could easily be made, and one would be prone to regard as a

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<sup>5</sup> This approach resembles that in much of the literature on prostitution, where attention is largely confined to the question of why girls enter the "profession."

factor in illegitimacy "demoralizing employment conditions."<sup>6</sup>

In the Negro population, more females are employed than males. The highest concentrations of Negro women are usually in the 25-34 and 35-44 age groups. This partly accounts for social problems found in so many Negro homes. The mothers are employed mostly away from home during the early adolescence lives of their children. Also, it is a contributing factor in a rather rigid stratification of Negro female workers, often dooming most of them to low grade labor. Furthermore, in the majority of cases, the employment open to Negroes traditionally consists of the low paid, temporary, marginal, and submarginal menial and unskilled jobs in the community.

There is another common factor in Negro illegitimacy that often escapes notice: These women either do not practice contraception, or they practice it only carelessly and inefficiently. Raymond Pearl has noticed that in other cities Negro women practice contraception less effectively than do white women, even under clinical supervision.<sup>7</sup> Why is this not equally a cause? Because, there is an unwritten law in the Negro community indicating that failure to use contraception is not an "evil," while "demoralizing employment" is.

Since there is no definite social definition of illegitimacy among the folk Negro, and throughout the Negro community in general, illicit sex

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6. Files of the North Tulsa Employment Center.

7. Raymond Pearl, "Contraception and Fertility in 2,000 Women," Human Biology, Vol. 4, No. 3, 1932, pp. 402, ff, "Contraception and Fertility in 4,945 Married Women," Human Biology, Vol. 6, No. 2, 1934, pp. 388-398; "Third Progress Report on a Study of Family Limitations," Milbank Memorial Fund Quarterly, Vol. XIV, No. 3, 1936. pp. 22-27.

relations are generally a matter of inclination and intention; the procreation of bastards a matter of neither, but an undesired and unintended accident. This is a complete denial of the assumption or belief that there is a universal failure to distinguish immoral sex relations from the procreation of illegitimate children.

**SOCIOLOGICAL APPROACH:** This approach tries to understand the institutional norms of the Negro population of Tulsa, and public sentiments which define certain births as illegitimate, and to fix the status of the parties concerned. It is based upon the fundamental belief that the function of reproduction can be carried in a socially useful manner only if it is performed in conformity with institutional patterns, because only by such means can individuals be organized and taught to co-operate in carrying on this long range function.<sup>8</sup> Minkoff states that when there is a clash between culture and human biology, it is necessary to make readjustments in the culture because original biological nature cannot be changed.<sup>9</sup>

This approach holds that the reproductive or familial institutions constitute the social machinery in terms of which the creation of new members of society is supposed to take place. Accordingly, the birth of children in ways foreign to this machinery must necessarily receive the

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<sup>8</sup> Since 1940, the local Council of Social Agencies has devoted special attention to the problems of the Negro Community. The Council of Social Agencies has been one of the few local planning groups where Negroes and whites jointly plan for next steps in problems of social amelioration and adjustment.

The proposed community center for Negroes when completed will help to meet a definite need for more extensive recreational opportunities for the Negro population.

<sup>9</sup> Meyer F. Minkoff, Marriage and the Family. Boston: Houghton Mifflin Co., 1947, p. 13-14.

disapproval of society, otherwise the institutional system itself, which depends upon favorable attitudes in individuals, will collapse.

Since the reproductive institutions of the Negro community embrace several different situations, one may violate the prescribed patterns in equally as many ways, leading to several kinds of illegitimacy, some occurring more frequently than others.<sup>10</sup> For present purposes, these include (1) the rule of past-marital precreation, and (2) the requirement of non-adulterous procreation. One may, therefore, restate the general principle of legitimacy in reference to the Negro population of Tulsa in this way: No child shall be born whose parents, by procreating him, will be violating either or both of these two norms of family structure.

ILLEGITIMACY AS A RESULT OF SIMPLE FORNICATION: The kind of simplicity assumed in much of our thinking about the subject requires little analysis of the human mating problem. But there are three sub-types of sex relations that must be distinguished carefully: (1) The case in which the sexual relation between the mother and father is transient, unaccompanied by any form of durable or friendly social contact, as in promiscuity and casual prostitution; (2) the case in which there is a liaison, a continued relation between the father and mother, but no intention of matrimony; and (3) the case in which the couple live together and pose before the community as married.<sup>11</sup>

These three subtypes of simple illegitimacy differ considerably in the intensity and quantity of social disapproval directed toward them.

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<sup>10</sup> See Kingsley Davis, "The Forms of Illegitimacy," Social Forces, 1935, p. 321-323.

<sup>11</sup> Davis, loc. cit.

The second kind of simple illegitimacy found in the Negro population of Tulsa often resembles the marital norm, during the intimacy of the parents, though the birth or prospective birth of a child frequently disrupts the relation. The third sort of simple illegitimacy, "Marriage except in name only," usually does not arouse sharp opposition. It readily merges into "common-law" marriage.

The first type of illegitimacy in the Negro population of Tulsa is thus distinguished in several ways. It exists in one form or another and is condemned or tolerated in different degrees according as its specific forms are distant from or near to the familial norm. But, in general, two of its traits mollify it in the eyes of the community: First, the parent may marry, and second, the illegitimate union does not interfere with an existing marriage.

A question often asked by the stranger, sometimes the neighbor, and only recently by members of the communities, is, "Why does illegitimacy flourish among Negroes, and are there sentiments against it?" The question really is, "Why does forbidden intercourse sometimes lead to illegitimate births?"

In explaining why some men and women of Tulsa's Negro community are not content before marriage and are not faithful afterwards, it is usually considered sufficient to cite the "imperiousness of the sex urge." Undoubtedly this urge is imperious and does play a part in illicit sexuality, but since it is a universal biological factor it cannot be used to explain deviate sex behavior in the Negro community without reference to the cultural setting. "But the fact remains that human beings universally, even when married, have never been willing to satisfy the sex impulse exclusively with the married partner, as is shown by adultery in all soci-

eties."<sup>12</sup>

The educational and religious organizations, and the aggressive spirit of the middle class Negro to improve spiritually, morally, and educationally indicates that there is more to sexual conduct in the Negro community than a mere urge. As Wright has explained, the development and improvement of cultural institutions within the Negro community has given the folk Negro a new interpretation of life and indeed his emotions are involved. These are compounded of organic and cultural processes, for they are aroused, defined, and expressed cultural situations with reference to meaningful or symbolic events.<sup>13</sup> Frazier suggests that implicit in these cultural situations and meaningful events are the regulatory norms of society; hence factors, but in terms of the very institutional system of which the deviate behavior is violation.<sup>14</sup>

The conflict between culture and original nature has been expressed as follows:

"Our own culture extols quick and violent love for the accidental object of one's fancy in courtship but expects the person to forget such laws after marriage. It defines intercourse as a mystical and important thing, and yet requires restraint during the period when youthful vigor is at its highest. It describes adulterous behavior as one of the 'joys of the flesh,' and yet decrees that no one shall have a secret hankering to partake of these joys. It praises and encourages variety in regard to other appetites, but elects to remain blind to the advantages of variety in regard to sex."<sup>15</sup>

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<sup>12</sup> Davis, op. cit., p. 323.

<sup>13</sup> Helen Wright, The Sex Factor in Marriage, New ed., New York: Vanguard, 1937, p. 45.

<sup>14</sup> Franklin Frazier, "Jealousy and Sexual Property," Social Forces, XVI, pp. 11-15.

<sup>15</sup> Robert C. Brinkley, "Should We Leave Romance Out of a Marriage?," Forum, 83: 72-79, February, 1950.



Such inconsistencies could be cited indefinitely. The list varies in different societies. In fact, these inconsistencies are apparently inherent in the nature of human association and illustrate how the intricate dynamic of social motivation itself is responsible for man's socially deviate behavior. What they add up is that it is "not the flesh alone, but the flesh and society, makes the devil."

Too much thinking about illegitimacy in the Negro community has been concerned only with illicit sex relations. We must raise the ridiculously obvious question of why illicit intercourse sometimes leads to the birth of bastard. Since intercourse does not necessarily bring conception, or conception bring parturition, illicit sexuality is a necessary but not a sufficient cause of the occurrence of illegitimacy in Tulsa's Negro communities. One could with more truth assert that the cause of illegitimacy among Tulsa Negroes is the suppression of contraception and abortion. The taboo against contraception and abortion is at one with our taboo against extra-marital intercourse. They both function to maintain a motivational connection between sexual gratification and procreation.<sup>16</sup>

The sociological approach to a study of the causation of illegitimacy in the Tulsa Negro population attempts to show, in brief, (1) that reproductive norms, whose violation constitutes illegitimacy, exist because social functions can be performed only through institutional patterns; (2) that these norms are broken because the emotional life of the folk Negro in society inevitably leads him to fall short, and leads some individuals to

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<sup>16</sup> So ingrained is the connection between intercourse and reproduction in our institutions that it constitutes an integral and unconscious part of the Negro community.

fall short, of perfection; and (3) that illegitimate children are born of illicit relations because the measures that would prevent their being born (encouragement of contraception and abortion) constitute in themselves violations of the mores of the Negro community.

**THE ETHNIC FAMILY PATTERN:** The Negro community of Tulsa has its own distinctive family forms, although few of them are greatly divergent from that found in the white community in the city. Definitions do not always define what the family is in the Negro community, nor in any community, especially when the relationship analyzed is so flexible and variable that it assumes many forms.

The term "family" has been used loosely to cover several types of groupings in the Negro community: (1) The traditional group of married fathers and mothers and their children; (2) one parent and children, if the other parent has died, deserted, or been separated, or divorced; (3) the unmarried couple with or without children, who have lived together long enough to be considered man and wife by common-law; (4) a man with several wives with or without children, or a woman with several husbands, with or without children. There are possibly still other groupings. However, as a working definition we may consider the family as "a group defined by sex relationship sufficiently precise and enduring to provide for the procreation and upbringing of children."<sup>17</sup>

The definition used here, then, avoids the question of whether the parents have been legally married. The word "group" is capable of including

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<sup>17</sup> Robert M. MacIver, Society: A Textbook of Sociology, p. 196.

monogamy, polygyny, polyandry. The expression, "sufficiently enduring" neatly side-steps all argument as to life-long or extremely brief duration of the relationship. Also, to "provide for the procreation and upbringing of children" is broad enough to include childless couples by implication. This indefinite pattern can best be understood when observed through the historical background of the Tulsa Negro.

The early Negro migrants to Tulsa came mostly from Arkansas, Louisiana, Mississippi, and Texas.<sup>18</sup> In the families that had acquired considerable stability, the father's position was rather firmly established. This class grew in importance during the first early days of the city and represented the conventional and stable elements in the family life in the Negro community. On the other hand, among the great mass of southern rural Negroes there developed in certain areas a form of family life based largely upon mutual interest and sympathies. It lacked an institutional basis, since neither legal marriage nor divorce was generally observed. The family often grew out of unmarried motherhood and the common interests which developed from association of men and women in the struggle for existence.

The type of family life which took shape among the rural folk in the Deep South could no longer function in the urban environment. There has been much illegitimacy and disorganization, but at the same time the family is adjusting itself increasingly to the demand of city living.

As can be seen from Table VII, Oklahoma Negroes are becoming urbanized (in the sense of living in towns and cities of 2,500 inhabitants or larger) with increasing rapidity. In 1930 and in 1940, Negroes comprised 7.2 per

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<sup>18</sup> N. J. Washington, Historical Development of the Negro in Oklahoma, Dexter Publishing Company, Tulsa, Okla. 1948, p. 35.

cent of the Oklahoma population. But Negroes comprised 7.2 per cent of the total population of Oklahoma in 1940 and 9.0 per cent of the urban population of the state. More significant, however, are the residential shifts within the Negro population itself. Whatever the urban influences upon family life may be, it is definite that their incidence upon Negro family situations of all kinds grows progressively more intense as they become more concentrated in cities.

If, as claimed by sociologists too numerous to mention, urbanization leads to a secularization of social relations, including family mores, the movement of rural Negroes already with traditionally weak family bonds,

TABLE VII. Negro Population of Oklahoma,  
Per Cent Urban, and Per Cent Residing in Tulsa  
by Census Years, 1910-1940

Census Year	Negro Population of Oklahoma	Percent Urban	Percent Living in Tulsa
1940	168,849	47.2	9.0
1930	172,189	39.4	8.8
1920	149,408	32.1	5.8
1910	137,612	26.9	1.4

Source: U. S. Census, Population, 2nd Series, Okla., 1940,  
pp. 5-11.

to cities is likely to be attended by serious concomitants for a long time to come. E. Durkheim, M. Halbwachs, A. F. Weber, P. A. Sorokin, Oswald Spengler and many others have shown that urbanization makes for anonymity, psychosocial isolation, family tension, mental disease, and social instability in general. Sacred values are displaced by material and sensory desire, respect for custom and tradition is cast aside, and impersonal secondary relationships are substituted for the more intimate primary

group associations under the impacts of urban life. Hence, transplanting the Negro to the city must be done under strengthened forces of education, group organization, religion, and other influences designed to stabilize and "regularize" behavior if the family institution in that group is to be spared.<sup>19</sup>

The Tulsa situation can be considered somewhat favorable to a high frequency of illegitimacy in the Negro population. In 1930 there were 88.4 males per 100 females and in 1940 there were 82.2 males per 100 females in the Negro population 15 years of age and over. In the native white population of the same ages, there were 97.6 males per 100 females in 1930 and 90.1 in 1940. Distorted sex ratios are generally believed to give rise to potential family tension and disorganization. If this be true, the sex ratios in the Tulsa Negro population may be considered as comparatively fertile ground in which illegitimacy may thrive.<sup>20</sup>

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19 For discussions of relationships between psychosocial disorganization and various social situations, see Emile Durkheim, Le Suicide (Paris: Librairie Félix Alcan, 1930) Livre III, Chs. I-II. Maurice Halbwachs, Les Causes du Suicide (Paris: Librairie Félix Alcan, 1930), Chapters VII-VIII; for even a more graphic account see, Clyde Vernon Kiser, Sea Island to City (New York: Columbia University Press, 1932), pp. 45-50, 70-72, et passim; Pitirim Sorokin, Social Mobility (New York: Harper & Brothers, 1927), Ch. XXII in particular.

20 Sex ratios were calculated from census figures, U. S. Census, Population, Oklahoma, 1940, 2nd series, p. 153. For a theory of the relation of sex ratios to family tension, see, Otis Durant Duncan, "Sex Ratios and Marital Condition of Adult Population of Different Types of Communities in the United States in Relation to Population Changes," Social Forces, Vol. XII, No. 2, 1933, pp. 222-229.

FAMILY PATTERNS AMONG NEGROES: To gain an idea of the distinctive features of Negro family patterns, it is best to study them in contrast with those of white families in the same general area. It is also necessary to keep in mind that a family is one thing and a household is another. The family has been defined above (see page 43) in terms of marriage and kinship relationships. A household may consist of a group of individuals sharing a common abode and dependent directly, partially, or wholly upon

TABLE VIII. Percentage Distribution of Population in Private Households by Relation to Head and by Color and Sex for Tulsa, 1940

Relationship to Head	Negro		White	
	Male	Female	Male	Female
TOTAL	100.0	100.0	100.0	100.0
Head	39.5	10.3	44.4	6.5
Wife	-	31.9	-	40.9
Child	41.5	38.2	45.2	40.8
Grandchild	5.4	4.8	2.1	1.9
Parent	0.6	2.4	0.9	2.5
Other Relatives	6.3	6.7	4.1	4.3
Lodger	6.2	4.8	3.1	2.3
Servant or Hired Hand	0.5	0.9	0.2	0.5

Source: Sixteenth Census of the United States: 1940, Vol. IV: Population, Part I: "Characteristics by Age," p. 114.

common management to conceptualize both households and families of Negroes in contrast with those of whites in Tulsa.

If, according to Table VIII, the population is divided by race and sex and distributed according to relationship to family heads, certain observations can be made. First, family heads make up 39.5 per cent of the Negro as compared with 44.4 per cent of the white male population, and 10.3 per cent of the Negro as against 6.5 per cent of the white female population. Second, 31.9 per cent of the Negro and 40.9 per cent of the

white females are shown as wives. The larger proportion of Negro than white female heads of families and the smaller proportion of wives among Negro than white females are highly significant, indicating a greater relative importance of the role of the Negro than of the white woman in the family. However, it indicates a greater lack of completeness in the Negro than in the white family, including broken homes, widowed homes, and perhaps relatively more monandry.

The child relationship is relatively constant between the races except the Negro population shows a deficit of female children in families. This can mean only that female Negro children leave home early, there being a much higher proportion of females than of males in the Negro population of Tulsa. Also, the excess of females over males is greater in the Negro than in the white population.

The data in Table VIII show, further, that the order of dependence of children upon family attachment ranks as follows: First, white males; second, Negro males; third, white females; and fourth, Negro females. This means that female children in both races leave home ahead of male children. By implication, this may have some relationship to illegitimacy. Stuart A. Queen pointed out in a lecture given in Dallas, Texas, some years ago, that prostitution thrives in St. Louis on the patronage of the bachelor sons of respectable families living there. E. L. Hooker reached a somewhat similar conclusion in a study of sexual irregularity in tourist courts in the Dallas-Fort Worth metropolitan areas.

The Negro family center offers a refuge to other persons than its immediate biological members far more often, relatively speaking, than that of whites. The proportion of grandchildren are more than twice as great for both sexes in Negro as in white homes. Parents of family heads are

sheltered in the family abode in about the same proportions by both races. "Other relatives" in Negro homes exceed those in white homes by 50 per cent, and the proportions of lodgers living with Negro families are twice as great sex for sex as with white families. Altogether, the typical Negro dwelling house in Tulsa affords habitation for just about twice as great proportions of both males and females, respectively, who are not members of the immediate family as does that of whites. The census estimates that 28 per cent of white as compared with 32 per cent of Negro males 14 years of age or over were "single" in 1947, which is a rather significant difference numerically.<sup>21</sup> This, taken in its entirety, is indicative of what Frazier calls "the amorphous" (formless) character of the Negro family.<sup>22</sup> It can be inferred, if not proved directly, that the larger the proportions of lodgers, wage-earners, and other outsiders in the family, the greater are the probabilities of sex deviations which may lead to illegitimacy. A similar inference may be drawn in regard to premature breaking up and dissolution of family bonds, tendencies which are relatively much more frequent in Negro than in white families.

Seemingly a logical inference is, therefore, that the widespread disorganization of family life among Negroes in Tulsa has affected practically every phase of community life adjustments in the city. Because of the absence of stability in family life, there is a relative lack of traditions. Life among the larger portion of the Negro population is casual, precarious, and fragmentary. It lacks continuity and its roots do not go deeper than the contingencies of daily living. Negro mothers who have the

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21. U. S. Census, 1940.

22 Frazier, op. cit., pp. 11-15.



responsibility for the support of the families are forced to neglect their children who pick up all forms of socially disapproved behavior in the disorganized areas in which these families are concentrated. However, as the Tulsa Negro has acquired education and has become integrated into the economic life of the city, family life has become more stabilized among the middle class which has assumed importance in the Negro community.

Since 1940, the local Council of Social Agencies has devoted special attention to the problems of the Negro community. Special studies of child care, family services, and illegitimacy have each merited consideration of council sub-committees.<sup>23</sup> A qualified Negro on the policy-making board of the Council of Social Agencies would be a factor in a more effective approach to the problems of Negro illegitimacy and Negro welfare.

It is usual to think of the Negro family system and its illegitimacy only in terms of how it can be fitted, without too great loss, into Tulsa's community life. But in reality the Negro community with its illegitimacy is not simply a percentage of the city population. It is distinctive. It still represents liabilities to the city; it still suffers great hurts from neighboring communities of the city; but it also contributes its own gifts. Tulsa would perhaps be more uniformly prosperous and less troubled and disorderly if the Negro community and its illegitimacy were not there. But it would be certainly less interesting and colorful.

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<sup>23</sup> Friendly Ford, Executive Secretary, Tulsa Council of Social Agencies (Interviews and conferences, Tulsa, Oklahoma), 1950.

## CHAPTER V. SUMMARY AND CONCLUSION

**SUMMARY:** Stated simply, the purpose of the present study has been to make a sociological analysis of illegitimacy primarily in the Negro population of Tulsa, Oklahoma, its incidence, and the social conditions under which it occurs as far as adequate reliable data are available, and to identify definitely the sociological aspects of illegitimacy.

The problem is to find out if the increase in court cases involving illegitimate parenthood is due to a more vigilant attempt during recent years to enforce law and order to closer surveillance of child dependency, or to an actual increase in illegitimacy itself. This problem grew out of the "alarming increase" of child court cases filed in Tulsa County Court. During 1950, that court disposed of 83 cases involving illegitimate children compared with 16 in 1941. All but 10 of the paternity cases heard by the court during 1950 were charged against Negroes.

The area in which the problem is located has miserably poor housing, and most of the ordinary conveniences considered as necessities by the average white citizen are lacking. Whether or not slums and illegitimacy are causally related, they are often co-existent.

The illegitimate birth rates in Tulsa were derived by first applying (a) the number of illegitimate births per 1,000 live births for Negro and white mothers (b) to the total number of live births recorded by the city. This was carried through for white and Negro mothers separately and for each year, 1940 to 1950. Totals of illegitimate births were then obtained by cumulating the derived figures for the city by race. Through

personal interviews and a survey made of 412 Negro households of unwed mothers and parents of unwed mothers during the course of the investigation, it was learned that in many cases the parents of illegitimate children were themselves illegitimate and that they had only imitated the loose behavior of their parents. In other words, it is apparent that illegitimacy tends somewhat to be perpetuated generation after generation by the amorphous family system often found in disadvantaged groups of the population.

This study tests the hypothesis that the observed trend of illegitimacy in the Negro population of Tulsa, Oklahoma, can be explained in terms of an aroused public consciousness stimulated by a growth in numbers and a widening of the scope of activity of public institutions or agencies designed for child protection in which socio-economic status is regarded as a contributing factor.

All evidence presented in this study implies that serious social and economic handicaps are arising in both the Negro and white populations of Tulsa in conjunction with the seemingly phenomenal increase in illegitimacy during the past ten years or so. These problems have a deep significance both to individuals and to groups and will have as long as attitudes toward illegitimacy on all sides remain as they are.

In seeking to make applicable the processes of controlling illegitimacy throughout the city, Tulsa has an opportunity and a responsibility to demonstrate that such factors as cultural situations, socio-economic conditions, and that the enlargement of social participation both laterally and vertically can be implemented toward a more complete and effective stabilization of family life generally. At least a part of this can be

realized through a breaking down of the isolation resulting from the segregation of both racial and cultural groups into non-participating strata in society. The data suggest that differentials in the incidence of illegitimacy follow pretty closely the lines marked out by "closed social stratification."

Statistics indicate that fluctuations in illegitimate births are related to certain overall social factors. The nation over, there has been an enormous increase in illegitimacy during recent years not alone in the Negro but also in the white population. It may be an aftermath of war, a symptom of moral breakdown, a result of changing value systems, or a secondary aspect of the interaction of numerous forces. It is not without significance that the sexual behavior of the white population appears to be drifting toward the pattern which has characterized that of Negroes for generations. In view of the magnitude and general increase in reported illegitimacy and bastardy charges in County Court Cases throughout the city, as well as of that shown by Vital Statistics, it appears unlikely that legal processes alone could account for the rise in nominal rates of illegitimacy.

With respect to registration completeness, it seems reasonable to assume that, as part of the general improvement in birth registration, a higher proportion of the illegitimate births were registered in 1947-1950 than in 1940. If the change in registration completeness were the same for illegitimate as for legitimate births, the percentage increase in illegitimacy during the period studied would be less than is given in the study. It is apparent that even when underregistration is taken into consideration, there was a marked increase in illegitimacy. This difference

may possibly represent partially the extent to which social consciousness of the problem of illegitimacy operates as a factor in the reported increase of illegitimate births.

Generally, when attempts have been made to fathom the causes of the persistence of a high rate of illegitimacy among Negroes, especially in Tulsa where Negroes have made perceptible progress economically and educationally, most people have gloomily attributed it to some inherent moral degeneracy of the Negro. However, this analysis of illegitimacy has revealed that it, like other forms of family disorganization, tends to become segregated largely in the poorer sections of both the Negro and the white communities located in the slum areas of the city.

This suggests that there is something in the slum environment that is concomitant with illicit sex behavior. However, this needs modification in view of the marked increase in illegitimacy among practically all population strata which occurred during World War II and the postwar period. This increase was found among all age groups of women in the age span 15-44 years, and in both the white and Negro race throughout the city in general, and it was greater proportionally for the white than for the Negro population. It was greatest for women 25 through 29 years of age, the age group most likely to have been frustrated in marriage by the war.

The rate among Negro women was much higher than among white. However, an appreciable proportion (2 in 5) of the illegitimate births have been to women still in their teens. These "teen age" women consider sex relations as normal behavior during courtship, which may or may not lead to marriage. When it results in the birth of a child, as happens frequently, certain obligations are thereby imposed upon the mother. These

are natural and contractual obligations which every mother is expected to feel toward her offspring. As far as is know, the unmarried is as sensitive toward her maternal duties as the legally married mother. A certain distinction attaches to being fruitful. To say that a woman "never did find anything," a Negro expression meaning that she has never had a child, may imply disparagement as well as commiseration. Motherhood signifies maturity and the fulfillment of one's function as a woman. But there seems to be a growing feeling that marriage is not an indispensable prerequisite to the realization of that function on the part of many of these women.

In 1947, 61 per cent of the women having illegitimate children designated them as "first births." The proportion was 3 in 4 for the white and 2 in 4 for the Negro community. Few of these unmarried Negro mothers have ever known "normal" family life. In many instances, the unmarried mothers are themselves illegitimate. Also, some of the older women having illegitimate offspring are already married. These women are conscious of having violated the established mores. The same may be said of the young girls who attempt in various ways to avoid exposure. As a rule, the older women attempt to deceive the social agencies by pretending that they are married, and by finding protection in the sanctuary of common law marriage. Here, they are likely to be exposed by public opinion, and by a closer surveillance by child welfare agencies and a more vigilant attempt during recent years to enforce law and order.

Undoubtedly, much of the observed illegitimacy in the Negro community issues from social disorganization, strictness in public assistance programs and bastardy charges in the Tulsa County Court. However, there has

been a numerical increase in illegitimate births, not alone a more frequent "uncovering" of occurring births to unmarried women.

This study has stressed the need for a sociological approach to the illegitimate birth conditions of the Negro population. Family and quasi-family groups, being much more formless in the Negro than in the white population, appear to provide a more fertile medium for Negro than for white illegitimacy. However, this explanation of the differentials is not alone sufficient, since illegitimacy rates have increased more rapidly in the white than in the Negro population during late years. Though primarily affecting Negroes, at least historically, the problems indicated have a definite relationship to the welfare of the general population. No approach is likely to reach the real basis of illegitimacy unless it recognizes in advance that it must alter some ancient stereotypes in human relations in community organization.

**CONCLUSION:** Having proposed to test the hypothesis that the observed rise in illegitimacy since 1940, as evidenced by growing numbers of paternity cases in courts, as well as in numbers recorded by other public agencies, is symptomatic of an intensification of scrutiny upon the problem, the study seems to justify the following conclusions:

1. Data available at this time do not fully prove or disprove the hypothesis, although by inference they tend to show that there has been an increasingly rigid scrutiny of the illegitimacy problem.

2. While social welfare agencies were unable to furnish convincing data to show that the expenditure of aid to dependent children from public funds has brought on increasing diligence on the part of the courts to

determine paternity and establish responsibility therefor, the reports of deliberations of these agencies indicate an increased activity on their part to bring to light the existence of illegitimate children in order that appropriate action may be taken.

3. It seems to be fairly well established, in partial demonstration of the hypothesis, that a mere biological increase in illegitimacy overestimates the total increase. It is known that births have been reported with greater accuracy and completeness in later than in earlier years of the past two decades.

4. All discernible indications suggest, at least by implication, that the recorded increase in illegitimacy since 1940 has been both biological and legal, children's codes having been revised, welfare agencies supervising and distributing aid to dependent children having multiplied and the general public having grown increasingly conscious of rising taxes for welfare purposes.

5. Historical data, past and current, indicate that the organization, the bonds, and the usual functions characteristic of families are less well integrated, coordinated, and recognized in the Negro than in the white population. The role of the male is relatively less significant, his status less definite, and his position in the family less thoroughly recognized in the Negro than in the white family, while the reverse is true in part in regard to the female family head. The Negro mother, whatever her marital status, works away from home in most instances, leaving her children without the supervision of a parent with recognized authority and responsibility. This is a condition which numerous scholars regard as contributive to sex delinquency, and ultimately to a heavy incidence



of illegitimacy in the Negro population, or in any population in which it occurs in like proportions.

6. The relatively greater tendency of Negro than of white families to absorb within the household, or family circle, unrelated persons, often unemployed or underemployed transients with indefinite socio-economic status, is also a stage setting for a high frequency of extramoral sex behavior which may be calculated to favor a higher frequency of Negro illegitimacy, family for family, than occurs among whites.

7. Not only is the Negro family pattern less highly articulated than that of whites, its duration is also shorter. The dependence of Negro children upon membership in parento-filial groups is far less marked than in the case of white children. There is a pronounced tendency for female children of Negro family groups to leave home early, which may be contributive to illegitimacy since these young women must enter into low paid employment, rather frequently supplemented by income from sex commerce, in order to survive.

8. The numerical distribution of the sexes, there being many more females than males in the adult ages, is likely to contribute to illegitimacy in the Tulsa Negro population, in which this characteristic is relatively more pronounced than in the white population. Disparities of sex numbers are generally regarded as conducive to the sexual exploitation of females, when they are more numerous than males, because of the large numbers who cannot hope to marry in any socially sanctioned sense of the term.

9. Undoubtedly, the segregated residential pattern forcing Negroes, who have traditionally weak family organization arising in past cultural situations, to live along railroad lines, among warehouses and factories,

in improvised shacks made of discarded boxcars, etc., in multiple family dwellings, and in so-called "hotels," places them in a position in which conformity with conventional morality as known to whites is next to impossible. Moreover, this situation has been made even more precarious in Tulsa by racial violence in the past which destroyed most of the property, as well as the hopes of security, which those Negroes living there had.

10. The available information studied gave partial evidence that the illegitimacy problem is aggravated in several ways by the social phases of racial segregation. The relative absence of records, the occasional and piecemeal enforcement of existing laws, and the scarcity of welfare agencies working among the Negro people until recently are at least negative testimony of the pertinence of this generalization. If correctly adduced, this means that whatever the influence of public opinion or social regulation in the control of illegitimacy it has been largely inoperative in Tulsa until lately. Moreover, the indifference of those in dominant positions in the whole community (whites) toward deviate behavior in the segregated group, as long as it is contained within that group, is a potent source of social disorganization with which not even the most virile conscious efforts on the part of Negroes themselves can cope. By its inherent nature, the segregation of Negroes racially, socially, and geographically in ways which alienate them from the main currents of social action, deny them social and political participation, and which may be calculated to destroy their personal integrity and dignity, can be regarded only as an invitation to them to ignore the family system which whites thereby reserve exclusively unto themselves.

11. The intensity of the illegitimacy problem in Tulsa, particularly in the Negro population, being great, and with expanding efforts

being made by the general public, Tulsa's Negro community has an opportunity to demonstrate that constructive measures can be used to promote respect for its rationally approved sex standards. In other words, these efforts are expected to make operative means and processes of control that will reduce automatically the problem of illegitimacy. In so far as it can provide wholesome recreation, enlightened education (including adequate sex instruction), and the opportunity for early marriage, economic self-maintenance, and can control sex behavior among the mentally and morally unfit, it will tend to remove some of the underlying factors in irregular sex expression, and, hence, of illegitimacy.

RECOMMENDATIONS: This brief investigation has shown clearly the need for a scientific approach to the study of illegitimate childbirth in the city of Tulsa. Though primarily affecting Negroes, the problems indicated here have a definite relationship to the welfare of the general population. No approach is likely to be effective unless it is comprehensive, formulated in terms of a cultural totality, and if it does not identify the population affected with the entire community. It will require the making over of many fixed ideas on human relations, and neither Negroes nor whites can maintain the status quo in either interracial or in intraracial relationships.

Certain recommendations for immediate development of a program to control and reduce illegitimacy, with special emphasis on Negro welfare, are proposed as appropriate procedural steps in the light of this investigation.

First, the various social agencies serving the Negro community, in

addition to granting relief, should aid in public interpretation of the conditions which cause Negroes to give birth to illegitimate children and to apply for relief in disproportionate numbers.

Second, the social agencies should enlist the cooperation of Negro religious and civic groups in an effort to extend the value of religious and cultural influences as an aid in promoting ambition, attaching a stigma to illegitimacy, and improving morale among the Negro population.

Third, the social agencies should give immediate attention to the problems of unmarried Negro mothers and urge that directly appropriate steps be taken to provide for their care.

Fourth, Negro school principals and teachers should give immediate consideration to reviving interest in the organization of Parent-Teacher Associations in the schools. (The reasons advanced for the absence of such groups are not sufficient. The value of P.T.A.'s on a national level to aid in the understanding and adjustment of teacher-pupil and parent-teacher relations should be seriously considered in relation to the high rate of illegitimate births among Negro high school girls.)

Fifth, immediate steps should be taken by the city in cooperation with the Federal Public Housing Authority to develop a housing program which will offer some relief to the acute housing needs of the Negro population.

Sixth, employers should be urged to explore every opportunity to give employment to competent Negro workers, following the principle of "equal pay for equal service" without discrimination because of the race or nationality, competence of the person employed alone being the criterion of employment preference.

Seventh, bi-racial committees should study together problems of

employment, regulations of labor organizations and of employers, and other problems constituting sources of employment friction in the local situation with a view to their elimination.

Eighth, all agencies, of whatever kind, having to do with social relationships and policies should be asked to coordinate their activities, concentrate their efforts, and share in the work of preparing those in need of help and guidance to help themselves, both in the study of their problems and in finding the means for their solution.

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